



COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

D.T.C. 11-11

March 1, 2012

Petition of Global Connection Inc. of America d/b/a STAND UP WIRELESS for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Massachusetts

ORDER OF DISMISSAL WITHOUT PREJUDICE

The Massachusetts Department of Telecommunications and Cable (“Department”), for the reasons discussed below, hereby dismisses, without prejudice, the Petition of Global Connection Inc. of America d/b/a STAND UP WIRELESS (“Stand Up”) for Designation as an Eligible Telecommunications Carrier (“ETC”) in the Commonwealth of Massachusetts. Stand Up is permitted to re-file its petition for designation as an ETC with the Department upon approval of a compliance plan by the Federal Communications Commission (“FCC”), as required in *In re Lifeline and Link Up Reform and Modernization*, WC Docket No. 11-42 (Feb. 6, 2012) (“Reform Order”). Should Stand Up decide to re-file its petition, the Department will not require an additional filing fee.

Stand Up filed its petition for designation as an ETC for the limited purpose of providing Lifeline and Link Up services to qualified Massachusetts consumers on September 13, 2011. *Petition of Global Connection Inc. of America d/b/a STAND UP WIRELESS for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Massachusetts*, D.T.C. 11-11 (“Petition”). On December 5, 2011, the Department suspended the procedural schedule pending

the issuance of the Reform Order in the interest of regulatory efficiency. *See Hearing Officer Order Suspending Procedural Schedule*, D.T.C. 11-11 at 1 (Dec. 5, 2011).

The FCC issued the Reform Order on February 6, 2012. As a result of changes to the Lifeline and Link Up programs contained in the Reform Order, Stand Up will need to file an updated petition. Specifically, in its Reform Order, the FCC eliminated Link Up support for ETCs on non-tribal lands. Reform Order, ¶ 245. Moreover, the FCC granted a blanket forbearance from the “own-facilities” requirement of 47 U.S.C. 214(e)(1)(A), provided carriers meet certain conditions. Reform Order, ¶ 373. Among those conditions, carriers seeking to take advantage of the FCC’s forbearance must submit a compliance plan to the FCC detailing how the carrier will provide service and safeguard against fraud and abuse. *Id.*, ¶ 379. Further, the FCC ordered that “[n]o designations shall be granted for any pending or new Lifeline-only ETC applications filed with the states or the Commission after December 29, 2011, and carriers shall not receive reimbursement from the program, until the [Wireline Competition] Bureau approves their compliance plans.” *Id.*, ¶ 380.

Stand Up has indicated its intent to take advantage of the FCC’s forbearance from the “own-facilities” requirements. *See* E-mail from Claudia McCoy, Legal Assistant, Lance J.M. Steinhart, P.C., to Catrice C. Williams, Secretary, Department (Feb. 21, 2012). The Department hereby dismisses Stand Up’s Petition without prejudice, so that Stand Up may re-file once it has met the pre-conditions laid out in the Reform Order, and received the FCC’s approval of its compliance plan. Accordingly, it is:

ORDERED

That the Petition of Global Connection Inc. of America
d/b/a STAND UP WIRELESS for Designation as an

Eligible Telecommunications Carrier in the Commonwealth of Massachusetts is **DISMISSED** without prejudice. And it is:

FURTHER ORDERED

That Global Connection Inc. of America d/b/a STAND UP WIRELESS may re-file its Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Massachusetts without the required filing fee.

So Ordered,

/s/ *Geoffrey G. Why* _____
Geoffrey G. Why
Commissioner